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Attorney for Plaintiffs
IRMA RAMIREZ and
DAREN HEATHERLY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IRMA RAMIREZ and DAREN
HEATHERLY,

Plaintiffs,

v.

ORIGINAL US RESTAURANT; 501
COLUMBUS LLC; and TRINACRIA
BROS., INC.,

Defendants.

CASE NO. 3:14-cv-03244-JST

**STIPULATION OF DISMISSAL AND
~~PROPOSED~~ ORDER THEREON**

The Parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(2). Outside of the terms of the Settlement Agreement and General Release ("Agreement") herein, each side is to bear its own costs and attorneys' fees.

The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

STIPULATION OF DISMISSAL AND ~~PROPOSED~~ ORDER

1 Therefore, IT IS HEREBY STIPULATED by and between the parties to this action
2 through their designated counsel that the above-captioned action become and hereby is
3 dismissed with prejudice.

4 This stipulation may be executed in counterparts, all of which together shall
5 constitute one original document.

6 Respectfully Submitted,

7 Dated: December 17, 2015

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

9
10 By: /s/ Thomas E. Frankovich
Thomas E. Frankovich
Attorney for Plaintiffs

11
12 Dated: December 17, 2015

LAW OFFICES OF MARC LIBARLE

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14 By: /s/ Mark Libarle
Marc Libarle
Attorney for Defendants

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17 **ORDER**

18 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
19 Fed.R.Civ.P.41(a)(2) and each side is to bear its own costs and attorneys' fees. IT IS
20 FURTHER ORDERED that the Court shall retain jurisdiction for the purpose of enforcing
21 the parties' Settlement Agreement and General Release should such enforcement be
22 necessary.
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25 Dated: December 17, 2015

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Hon. Jon S. Tigar
UNITED STATES DISTRICT JUDGE